

ESTTA Tracking number: **ESTTA389911**

Filing date: **01/24/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91184978
Party	Plaintiff McNeil-PPC, Inc.
Correspondence Address	LAURA POPP-ROSENBERG FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK, NY 10017 UNITED STATES lrosenberg@fzlz.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Laura Popp-Rosenberg
Filer's e-mail	lpopp-rosenberg@fzlz.com,gwoo@fzlz.com,jweinberger@fzlz.com,mortiz.@fzlz.com
Signature	/Laura Popp-Rosenberg/
Date	01/24/2011
Attachments	F0740451.PDF (38 pages)(704175 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

McNEIL-PPC, INC.,

Opposer,

-against-

WALGREEN CO.,

Applicant.

Opp. No. 91184978

OPPOSER'S NOTICE OF RELIANCE ON OFFICIAL RECORDS¹

1. Pursuant to Rule 2.122(e) of the Trademark Rules of Practice, Opposer hereby makes of record and notifies Applicant of its reliance on **Opposer's Exhibit 109**, attached hereto, an official record of the United States Patent and Trademark Office ("USPTO") obtained from TARR, representing Applicant's application to register the mark WAL-ZYR, filed September 19, 2007, the application at issue in this proceeding.

2. Pursuant to Rule 2.122(e) of the Trademark Rules of Practice, Opposer hereby makes of record and notifies Applicant of its reliance on the following official records of the USPTO obtained from TARR, representing registrations for the mark ZYRTEC, a mark owned by UCB, Inc. and licensed to Opposer for use in connection with antihistamines and other pharmaceutical preparations, as well as other ZYRTEC-inclusive and Z-inclusive marks. These registrations are relevant to show the marks licensed to and used by Opposer and the goods and services for which such marks are registered.

¹ Pursuant to Rule 2.122(e), such records need not be certified to be offered into evidence. The exhibits submitted through this Notice of Reliance, all of which bear a legend indicating that they were generated by the United States Patent and Trademark Office's TARR (Trademark Applications and Registrations Retrieval) or TESS (Trademark Electronic Search System) systems, are authenticated pursuant to Federal Rules of Evidence 901(7) and 902(4) as modified by Trademark Rule of Practice 2.122(e).

(a) U.S. Registration No. 2,024,253 for the mark ZYRTEC in International Class 5 for “antihistamines,” attached hereto as **Opposer’s Exhibit 110**;

(b) U.S. Registration No. 2,595,408 for the mark ZYRTEC-D 12 HOUR in International Class 5 for “Pharmaceutical preparations, ie [sic] antihistamines and decongestant agents,” attached hereto as **Opposer’s Exhibit 111**;

(c) U.S. Registration No. 2,535,836 for the mark ZYRTEC-D in International Class 5 for “pharmaceuticals preparations, i.e. antihistaminic and decongestant agents,” attached hereto as **Opposer’s Exhibit 112**;

(d) U.S. Registration No. 3,512,964 for the mark ZYRTEC & Design in International Class 5 for “pharmaceutical preparations, namely, antihistaminic and decongestant agents,” attached hereto as **Opposer’s Exhibit 113**;

(e) U.S. Registration No. 3,512,965 for the mark Z & Design in International Class 5 for “pharmaceutical preparations, namely, antihistaminic and decongestant agents,” attached hereto as **Opposer’s Exhibit 114**; and

(f) U.S. Registration No. 3,512,967 for the mark ZYRTEC & Design in International Class 5 for “pharmaceutical preparations, namely, antihistaminic and decongestant agents,” attached hereto as **Opposer’s Exhibit 115**.

Dated: New York, New York
January 24, 2011

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: 
Laura Popp-Rosenberg
Giselle C. Woo
866 United Nations Plaza
New York, New York 10017
Tel: (212) 813-5900
Email: lpopp-rosenberg@frosszelnick.com
gwoo@frosszelnick.com

Attorneys for Opposer McNEIL-PPC, Inc.

Certificate of Mailing

I hereby certify that on January 24, 2011, this correspondence is being deposited with the United States Postal Service via Express Mail No. 815844455 in an envelope addressed to the Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451 on:

Joseph Karzoan

(Printed name of person mailing paper or fee)


(Signature)

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **Opposer's Notice of Reliance on Official Records** to be served via First Class U.S. Mail, postage prepaid, in an envelope addressed to counsel for Applicant, Caroline L. Stevens, Esq., Leydig, Voit & Mayer, 1420 Fifth Avenue, Suite 3670, Seattle, WA 98101, this 24th day of January, 2011.



Giselle C. Woo

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

McNEIL-PPC, INC.,

Opposer,

-against-

WALGREEN CO.,

Applicant.

Opp. No. 91184978

**EXHIBIT 109
TO
OPPOSER'S NOTICE OF RELIANCE
ON OFFICIAL RECORDS**

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-01-24 17:20:06 ET

Serial Number: 76682070 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

WAL-ZYR

(words only): [WAL-ZYR](#)

Standard Character claim: [Yes](#)

Current Status: An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Date of Status: [2008-07-02](#)

Filing Date: [2007-09-19](#)

Transformed into a National Application: [No](#)

Registration Date: (DATE NOT AVAILABLE)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 107](#)

Attorney Assigned:
[STEEL ALYSSA PALADINO](#)

Current Location: [650 -Publication And Issue Section](#)

Date In Location: [2008-01-29](#)

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [Walgreen Co.](#)

Address:
[Walgreen Co.](#)
[200 Wilmot Road](#)
[Deerfield, IL 60015](#)
[United States](#)

Legal Entity Type: [Corporation](#)
State or Country of Incorporation: [Illinois](#)

GOODS AND/OR SERVICES

International Class: 005

Class Status: [Active](#)

[pharmaceuticals, namely, allergy medications](#)

Basis: 1(b)

First Use Date: [\(DATE NOT AVAILABLE\)](#)

First Use in Commerce Date: [\(DATE NOT AVAILABLE\)](#)

ADDITIONAL INFORMATION

Prior Registration Number(s):

[2292545](#)

[2806482](#)

[2876500](#)

MADRID PROTOCOL INFORMATION

[\(NOT AVAILABLE\)](#)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

[2008-07-02 - Opposition instituted for Proceeding](#)

[2008-03-31 - Extension Of Time To Oppose Received](#)

[2008-03-04 - Published for opposition](#)

[2008-02-13 - Notice of publication](#)

[2008-01-29 - Law Office Publication Review Completed](#)

[2008-01-29 - Assigned To LIE](#)

[2007-12-18 - Approved For Pub - Principal Register](#)

[2007-12-18 - Examiner's amendment mailed](#)

[2007-12-17 - Examiner's Amendment Entered](#)

[2007-12-17 - Examiners Amendment -Written](#)

[2007-11-30 - Non-final action mailed](#)

[2007-11-30 - Non-Final Action Written](#)

[2007-11-29 - Assigned To Examiner](#)

[2007-10-02 - Application Filing Receipt Mailed](#)

[2007-09-26 - New Application Entered In Tram](#)

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

[Francis C. Kowalik](#)

Correspondent

[MARK J. LISS](#)

[LEYDIG, VOIT & MAYER, LTD.](#)

[TWO PRUDENTIAL PLAZA SUITE 4900](#)

[CHICAGO, IL 60601](#)

[Phone Number: 847-315-4640](#)

[Fax Number: 847-315-4826](#)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

McNEIL-PPC, INC.,

Opposer,

-against-

WALGREEN CO.,

Applicant.

Opp. No. 91184978

**EXHIBIT 110
TO
OPPOSER'S NOTICE OF RELIANCE
ON OFFICIAL RECORDS**

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

Reg. No. 2,024,253

United States Patent and Trademark Office

Registered Dec. 17, 1996

**TRADEMARK
PRINCIPAL REGISTER**

ZYRTEC

UCB, SOCIETE ANONYME (BELGIUM CORPORATION)
326, AVENUE LOUISE
BRUXELLES, BELGIUM

FIRST USE 10-1-1987; IN COMMERCE
2-18-1996.

SN 74-473,580, FILED 12-28-1993.

FOR: ANTIHISTAMINES, IN CLASS 5 (U.S.
CLS. 6, 18, 44, 46, 51 AND 52).

FRED MANDIR, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-01-24 17:26:29 ET

Serial Number: 74473580 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2024253

Mark (words only): ZYRTEC

Standard Character claim: No

Current Status: [The registration has been renewed](#).

Date of Status: 2006-10-25

Filing Date: 1993-12-28

Transformed into a National Application: No

Registration Date: 1996-12-17

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 105](#)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: [830 -Post Registration](#)

Date In Location: 2006-10-25

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [UCB PHARMA, S.A.](#)

Address:

[UCB PHARMA, S.A.](#)

[ALLEE DE LA RECHERCHE, 60 INTELLECTUAL PROPERTY DEPARTMENT](#)

[B-1070 BRUSSELS](#)

[Belgium](#)

Legal Entity Type: [Corporation](#)

State or Country of Incorporation: [Belgium](#)

GOODS AND/OR SERVICES

International Class: [005](#)

Class Status: [Active](#)

[antihistamines](#)

Basis: [1\(a\)](#)

First Use Date: [1987-10-01](#)

First Use in Commerce Date: [1996-02-18](#)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-01-13 - TEAS Change Of Correspondence Received

2007-05-30 - Automatic Update Of Assignment Of Ownership

2007-05-23 - Automatic Update Of Assignment Of Ownership

2007-05-23 - Assignment Of Ownership Not Updated Automatically

2007-05-23 - Automatic Update Of Assignment Of Ownership

2007-05-02 - Assignment Of Ownership Not Updated Automatically

2006-10-25 - First renewal 10 year

2006-10-25 - Section 8 (10-year) accepted/ Section 9 granted

2006-10-18 - Assigned To Paralegal

2006-09-13 - Case File In TICRS

2006-08-11 - Combined Section 8 (10-year)/Section 9 filed

2006-08-11 - PAPER RECEIVED

2006-08-11 - Applicant/Correspondence Changes (Non-Responsive) Entered

2006-08-11 - TEAS Change Of Owner Address Received

2003-01-24 - Section 8 (6-year) accepted & Section 15 acknowledged

2002-11-15 - Section 8 (6-year) and Section 15 Filed

2002-11-15 - PAPER RECEIVED

1996-12-17 - Registered - Principal Register

1996-09-27 - Allowed for Registration - Principal Register (SOU accepted)

1996-09-25 - Examiners Amendment -Written

1996-09-09 - Non-final action mailed

1996-08-12 - Statement Of Use Processing Complete

1996-05-14 - Use Amendment Filed
1996-02-02 - Extension 2 granted
1995-11-21 - Extension 2 filed
1995-07-15 - Extension 1 granted
1995-05-17 - Extension 1 filed
1994-11-22 - NOA Mailed - SOU Required From Applicant
1994-08-30 - Published for opposition
1994-07-29 - Notice of publication
1994-05-16 - Approved For Pub - Principal Register
1994-05-12 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Kaushal R Odedra

Correspondent

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Suite 400 East
1030 15th Street N.W.
Washington DC 20005
Phone Number: 2027218200

Domestic Representative

WENDEROTH, LIND & PONACK

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

McNEIL-PPC, INC.,

Opposer,

-against-

WALGREEN CO.,

Applicant.

Opp. No. 91184978

**EXHIBIT 111
TO
OPPOSER'S NOTICE OF RELIANCE
ON OFFICIAL RECORDS**

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,595,408

Registered July 16, 2002

**TRADEMARK
PRINCIPAL REGISTER**

ZYRTEC-D 12 HOUR

UCB, SOCIETE ANONYME (BELGIUM CORPORATION)
ALLEE DE LA RECHERCHE, 60
BRUXELLES, BELGIUM

FOR: PHARMACEUTICAL PREPARATIONS, IE
ANTIHISTAMINES AND DECONGESTANT
AGENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51
AND 52).

FIRST USE 8-31-2001; IN COMMERCE 8-31-2001.

OWNER OF U.S. REG. NO. 2,024,253.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "12 HOUR", APART FROM THE
MARK AS SHOWN.

SN 76-051,386, FILED 5-18-2000.

JOHN DALIER, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-01-24 17:27:15 ET

Serial Number: 76051386 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2595408

Mark (words only): ZYRTEC-D 12 HOUR

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2008-09-11

Filing Date: 2000-05-18

Transformed into a National Application: No

Registration Date: 2002-07-16

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 105](#)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-09-11

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [UCB PHARMA, S.A.](#)

Address:

[UCB PHARMA, S.A.](#)

[ALLEE DE LA RECHERCHE, 60 INTELLECTUAL PROPERTY DEPARTMENT](#)

[B-1070 BRUSSELS](#)

[Belgium](#)

Legal Entity Type: [Corporation](#)

State or Country of Incorporation: [Belgium](#)

GOODS AND/OR SERVICES

International Class: 005

Class Status: [Active](#)

[Pharmaceutical preparations, ie antihistamines and decongestant agents](#)

Basis: 1(a)

First Use Date: 2001-08-31

First Use in Commerce Date: 2001-08-31

ADDITIONAL INFORMATION

Disclaimer: ["12 HOUR"](#)

Prior Registration Number(s):
[2024253](#)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

[2010-01-13 - TEAS Change Of Correspondence Received](#)

[2008-09-11 - Section 8 \(6-year\) accepted & Section 15 acknowledged](#)

[2008-07-25 - Assigned To Paralegal](#)

[2008-07-16 - Section 8 \(6-year\) and Section 15 Filed](#)

[2008-07-16 - PAPER RECEIVED](#)

[2007-10-25 - Case File In TICRS](#)

[2007-05-30 - Automatic Update Of Assignment Of Ownership](#)

[2007-05-23 - Automatic Update Of Assignment Of Ownership](#)

[2007-05-23 - Assignment Of Ownership Not Updated Automatically](#)

[2007-05-23 - Automatic Update Of Assignment Of Ownership](#)

[2007-05-02 - Assignment Of Ownership Not Updated Automatically](#)

[2002-07-16 - Registered - Principal Register](#)

[2002-04-29 - Allowed for Registration - Principal Register \(SOU accepted\)](#)

[2002-04-22 - Assigned To Examiner](#)

[2002-04-18 - Statement Of Use Processing Complete](#)

[2002-04-03 - Use Amendment Filed](#)

[2001-12-18 - NOA Mailed - SOU Required From Applicant](#)

[2001-09-25 - Published for opposition](#)

[2001-09-05 - Notice of publication](#)

[2001-05-15 - Approved For Pub - Principal Register](#)

[2000-11-20 - Communication received from applicant](#)

2000-09-25 - Non-final action mailed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ray Thomas Jr

Correspondent

RAY THOMAS, JR.

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Suite 400 East

1030 15th Street N.W.

Washington DC 20005

Phone Number: 2027218200

Domestic Representative

WENDEROTH, LIND & PONACK, L.L.P.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

McNEIL-PPC, INC.,

Opposer,

-against-

WALGREEN CO.,

Applicant.

Opp. No. 91184978

**EXHIBIT 112
TO
OPPOSER'S NOTICE OF RELIANCE
ON OFFICIAL RECORDS**

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,535,836

Registered Feb. 5, 2002

**TRADEMARK
PRINCIPAL REGISTER**

ZYRTEC-D

UCB, SOCIETE ANONYME (BELGIUM CORPORATION)

ALLEE DE LA RECHERCHE, 60
B-1070 BRUXELLES, BELGIUM

FOR: PHARMACEUTICALS PREPARATIONS,
I.E. ANTIHISTAMINIC AND DECONGESTANT
AGENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51
AND 52).

PRIORITY CLAIMED UNDER SEC. 44(D) ON
BENELUX APPLICATION NO. 0951201, FILED 11-
25-1999, REG. NO. 0951201, DATED 11-25-1999, EX-
PIRES 11-25-2009.

OWNER OF U.S. REG. NO. 2,024,253.

SER. NO. 76-061,430, FILED 5-23-2000.

JOHN DALIER, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-01-24 17:27:53 ET

Serial Number: 76061430 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2535836

Mark (words only): ZYRTEC-D

Standard Character claim: No

Current Status: A Section 8 declaration has been accepted.

Date of Status: 2008-10-23

Filing Date: 2000-05-23

Transformed into a National Application: No

Registration Date: 2002-02-05

Register: Principal

Law Office Assigned: LAW OFFICE 105

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-10-23

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. UCB PHARMA, S.A.

Address:

UCB PHARMA, S.A.
ALLEE DE LA RECHERCHE, 60 INTELLECTUAL PROPERTY DEPARTMENT
B-1070 BRUSSELS
Belgium

Legal Entity Type: Corporation

State or Country of Incorporation: Belgium

GOODS AND/OR SERVICES

International Class: 005

Class Status: Active

pharmaceuticals preparations, i.e. antihistaminic and decongestant agents

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):[2024253](#)**Foreign Application Number:** [0951201](#)**Foreign Registration Number:** [0664691](#)**Foreign Registration Date:** [1999-11-25](#)**Country:** [Benelux](#)**Foreign Filing Date:** [1999-11-25](#)**Foreign Expiration Date:** [2009-11-25](#)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

[2010-01-13 - TEAS Change Of Correspondence Received](#)[2008-10-23 - Section 8 \(6-year\) accepted](#)[2008-09-22 - Post Registration action mailed - Section 8](#)[2008-02-14 - Assigned To Paralegal](#)[2008-01-31 - Section 8 \(6-year\) filed](#)[2008-01-31 - PAPER RECEIVED](#)[2007-05-30 - Automatic Update Of Assignment Of Ownership](#)[2007-05-23 - Automatic Update Of Assignment Of Ownership](#)[2007-05-23 - Assignment Of Ownership Not Updated Automatically](#)[2007-05-23 - Automatic Update Of Assignment Of Ownership](#)[2007-05-02 - Assignment Of Ownership Not Updated Automatically](#)[2007-04-09 - Case File In TICSRS](#)[2002-05-02 - Section 7 correction issued](#)[2002-04-02 - Section 7 amendment filed](#)[2002-02-05 - Registered - Principal Register](#)[2001-11-13 - Published for opposition](#)[2001-10-24 - Notice of publication](#)[2001-04-18 - Sec. 1\(B\) Claim Deleted](#)

2001-05-29 - Approved For Pub - Principal Register

2001-04-18 - Communication received from applicant

2001-02-12 - Letter of suspension mailed

2001-02-12 - Previous Allowance Count Withdrawn

2000-09-22 - Approved For Pub - Principal Register

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

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Correspondent

RAY THOMAS, JR.

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Suite 400 East

1030 15th Street N.W.

Washington DC 20005

Phone Number: 2027218200

Domestic Representative

WENDEROTH LIND & PONACK L.L.P.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

McNEIL-PPC, INC.,

Opposer,

-against-

WALGREEN CO.,

Applicant.

Opp. No. 91184978

**EXHIBIT 113
TO
OPPOSER'S NOTICE OF RELIANCE
ON OFFICIAL RECORDS**

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,512,964

Registered Oct. 7, 2008

**TRADEMARK
PRINCIPAL REGISTER**



UCB PHARMA, S.A. (BELGIUM CORPORATION)
ALLEE DE LA RECHERCHE 60
B-1070 BRUSSELS, BELGIUM

FIRST USE 1-20-2008; IN COMMERCE 1-20-2008.

OWNER OF U.S. REG. NOS. 2,024,253, 2,595,408,
AND OTHERS.

FOR: PHARMACEUTICAL PREPARATIONS,
NAMELY, ANTIHISTAMINIC AND DECONGE-
STANT AGENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44,
46, 51 AND 52).

SN 76-679,463, FILED 7-13-2007.

KRISTIN DAHLING, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-01-24 17:29:30 ET

Serial Number: 76679463 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3512964

Mark



(words only): [ZYRTEC](#)

Standard Character claim: No

Current Status: [Registered](#). The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: [2008-10-07](#)

Filing Date: [2007-07-13](#)

Transformed into a National Application: No

Registration Date: [2008-10-07](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 113](#)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: [650 -Publication And Issue Section](#)

Date In Location: [2008-09-02](#)

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [JOHNSON & JOHNSON](#)

Address:

[JOHNSON & JOHNSON](#)
[ONE JOHNSON & JOHNSON PLAZA](#)
[NEW BRUNSWICK, NJ 089337001](#)
[United States](#)

Legal Entity Type: [Corporation](#)

State or Country of Incorporation: [New Jersey](#)

GOODS AND/OR SERVICES

International Class: 005

Class Status: [Active](#)

[pharmaceutical preparations, namely, antihistaminic and decongestant agents](#)

Basis: 1(a)

First Use Date: 2008-01-20

First Use in Commerce Date: 2008-01-20

ADDITIONAL INFORMATION

Color(s) Claimed: [Color is not claimed as a feature of the mark.](#)

Prior Registration Number(s):

[2024253](#)

[2535836](#)

[2595408](#)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

[2010-02-18 - Automatic Update Of Assignment Of Ownership](#)

[2008-10-07 - Registered - Principal Register](#)

[2008-09-02 - Law Office Registration Review Completed](#)

[2008-09-01 - Allowed for Registration - Principal Register \(SOU accepted\)](#)

[2008-08-08 - Statement Of Use Processing Complete](#)

[2008-07-29 - Use Amendment Filed](#)

[2008-08-08 - Case Assigned To Intent To Use Paralegal](#)

[2008-07-29 - TEAS Statement of Use Received](#)

[2008-01-29 - NOA Mailed - SOU Required From Applicant](#)

[2007-11-06 - Published for opposition](#)

[2007-10-17 - Notice of publication](#)

[2007-10-01 - Law Office Publication Review Completed](#)

[2007-10-01 - Assigned To LIE](#)

[2007-08-31 - Examiner's amendment mailed](#)

2007-08-30 - Approved For Pub - Principal Register

2007-08-30 - Examiner's Amendment Entered

2007-08-30 - Examiners Amendment -Written

2007-08-24 - Assigned To Examiner

2007-07-24 - Application Filing Receipt Mailed

2007-07-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

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Jake D. Feldman

Phone Number: (732) 524-1987

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

McNEIL-PPC, INC.,

Opposer,

-against-

WALGREEN CO.,

Applicant.

Opp. No. 91184978

**EXHIBIT 114
TO
OPPOSER'S NOTICE OF RELIANCE
ON OFFICIAL RECORDS**

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,512,965

Registered Oct. 7, 2008

**TRADEMARK
PRINCIPAL REGISTER**



UCB PHARMA, S.A. (BELGIUM CORPORATION)
ALLEE DE LA RECHERCHE 60
B-1070 BRUSSELS, BELGIUM

FOR: PHARMACEUTICAL PREPARATIONS,
NAMELY, ANTIHISTAMINIC AND DECONGE-
STANT AGENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44,
46, 51 AND 52).

FIRST USE 1-20-2008; IN COMMERCE 1-20-2008.

OWNER OF U.S. REG. NOS. 2,024,253, 2,595,408,
AND OTHERS.

SN 76-679,464, FILED 7-13-2007.

KRISTIN DAHLING, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-01-24 17:30:17 ET

Serial Number: 76679464 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3512965

Mark



(words only): [Z](#)

Standard Character claim: [No](#)

Current Status: [Registered](#). The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: [2008-10-07](#)

Filing Date: [2007-07-13](#)

Transformed into a National Application: [No](#)

Registration Date: [2008-10-07](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 113](#)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: [650 -Publication And Issue Section](#)

Date In Location: [2008-09-02](#)

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [JOHNSON & JOHNSON](#)

Address:

[JOHNSON & JOHNSON](#)
[ONE JOHNSON & JOHNSON PLAZA](#)
[NEW BRUNSWICK, NJ 089337001](#)
[United States](#)

Legal Entity Type: [Corporation](#)

State or Country of Incorporation: [New Jersey](#)

GOODS AND/OR SERVICES

International Class: 005

Class Status: [Active](#)

[pharmaceutical preparations, namely, antihistaminic and decongestant agents](#)

Basis: [1\(a\)](#)

First Use Date: [2008-01-20](#)

First Use in Commerce Date: [2008-01-20](#)

ADDITIONAL INFORMATION

Color(s) Claimed: [Color is not claimed as a feature of the mark.](#)

Design Search Code(s):

[26.01.17](#) - Circles, two concentric; Concentric circles, two; Two concentric circles

[26.01.21](#) - Circles that are totally or partially shaded.

[26.09.21](#) - Squares that are completely or partially shaded

Prior Registration Number(s):

[2024253](#)

[2535836](#)

[2595408](#)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

[2010-02-18](#) - Automatic Update Of Assignment Of Ownership

[2008-10-07](#) - Registered - Principal Register

[2008-09-02](#) - Law Office Registration Review Completed

[2008-09-01](#) - Allowed for Registration - Principal Register (SOU accepted)

[2008-08-08](#) - Statement Of Use Processing Complete

[2008-07-29](#) - Use Amendment Filed

[2008-08-08](#) - Case Assigned To Intent To Use Paralegal

[2008-07-29](#) - TEAS Statement of Use Received

[2008-01-29](#) - NOA Mailed - SOU Required From Applicant

[2007-11-06](#) - Published for opposition

[2007-10-17](#) - Notice of publication

[2007-10-01](#) - Law Office Publication Review Completed

2007-10-01 - Assigned To LIE

2007-08-31 - Examiner's amendment mailed

2007-08-30 - Approved For Pub - Principal Register

2007-08-30 - Examiner's Amendment Entered

2007-08-30 - Examiners Amendment -Written

2007-08-24 - Assigned To Examiner

2007-07-24 - Application Filing Receipt Mailed

2007-07-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jake D. Feldman

Correspondent

JAKE D. FELDMAN

Johnson & Johnson

One Johnson & Johnson Plaza

New Brunswick, NJ 08933-7001

Phone Number: (732) 524-1987

Domestic Representative

Jake D. Feldman

Phone Number: (732) 524-1987

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ON OFFICIAL RECORDS**

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,512,967

Registered Oct. 7, 2008

**TRADEMARK
PRINCIPAL REGISTER**



UCB PHARMA, S.A. (BELGIUM CORPORATION)
ALLEE DE LA RECHERCHE 60
B-1070 BRUSSELS, BELGIUM

THE COLOR(S) ORANGE, GREEN, YELLOW,
AND WHITE IS/ARE CLAIMED AS A FEATURE
OF THE MARK.

FOR: PHARMACEUTICAL PREPARATIONS,
NAMELY, ANTIHISTAMINIC AND DECONGE-
STANT AGENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44,
46, 51 AND 52).

THE COLOR ORANGE APPEARS IN THE LEAF
DESIGN; THE COLOR GREEN APPEARS IN THE
BACKGROUND CONTRAST; THE COLOR YEL-
LOW APPEARS IN THE ARCS; THE COLOR WHITE
APPEARS IN THE SPARK AND THE WORDING
"ZYRTEC".

FIRST USE 1-20-2008; IN COMMERCE 1-20-2008.

SN 76-679,466, FILED 7-13-2007.

OWNER OF U.S. REG. NOS. 2,024,253, 2,595,408,
AND OTHERS.

KRISTIN DAHLING, EXAMINING ATTORNEY

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Serial Number: 76679466 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3512967

Mark



(words only): ZYRTEC

Standard Character claim: No

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2008-10-07

Filing Date: 2007-07-13

Transformed into a National Application: No

Registration Date: 2008-10-07

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-09-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. JOHNSON & JOHNSON

Address:

JOHNSON & JOHNSON
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NJ 089337001
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Jersey

GOODS AND/OR SERVICES

International Class: 005

Class Status: Active

pharmaceutical preparations, namely, antihistaminic and decongestant agents

Basis: 1(a)

First Use Date: 2008-01-20

First Use in Commerce Date: 2008-01-20

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) orange, green, yellow, and white is/are claimed as a feature of the mark.

Description of Mark: The color orange appears in the leaf design; the color green appears in the background contrast; the color yellow appears in the arcs; the color white appears in the spark and the wording "ZYRTEC".

Design Search Code(s):

01.15.04 - Explosions; Fireworks display; Sparks

05.03.25 - Leaf, single; Other leaves

26.01.06 - Circles, semi; Semi-circles

26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):

2024253

2535836

2595408

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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Phone Number: (732) 524-1987

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